

from the Commission of such suspension or revocation, retrieve all classified information possessed by the individual and take the action necessary to preclude that individual having further access to the information.

[62 FR 17697, Apr. 11, 1997]

§95.53 Termination of facility clearance.

(a) If the need to use, process, store, reproduce, transmit, transport, or handle classified matter no longer exists, the facility clearance will be terminated. The facility may deliver all documents and materials containing classified information to the Commission or to a person authorized to receive them or destroy all such documents and materials. In either case, the facility shall submit a certification of non-possession of classified information to the NRC Division of Security.

(b) In any instance where facility clearance has been terminated based on a determination of the CSA that further possession of classified matter by the facility would not be in the interest of the national security, the facility shall, upon notice from the CSA, immediately deliver all classified documents and materials to the Commission along with a certification of non-possession of classified information.

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§95.55 Continued applicability of the regulations in this part.

The suspension, revocation or other termination of access authorization or the termination of facility clearance does not relieve any person from compliance with the regulations in this part.

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§95.57 Reports.

Each licensee or other person having a facility clearance shall immediately report to the CSA and the Regional Administrator of the appropriate NRC Regional Office listed in appendix A, 10 CFR part 73:

(a) Any alleged or suspected violation of the Atomic Energy Act, Espionage Act, or other Federal statutes related to classified information.

(b) Any infractions, losses, compromises or possible compromises of classified information or classified documents not falling within paragraph (a) of this section.

(c) In addition, an authorized classifier of a licensee, certificate holder or other organization subject to this part shall complete an NRC Form 790, "Classification Record," whenever matter containing classified information is generated, its classification changed or it is declassified. Notification of declassification is not required for any document or material which has an automatic declassification date. Completed NRC Form 790 must be submitted to the NRC Division of Security, Washington, DC 20555-0001, on a monthly basis.

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§95.59 Inspections.

The Commission shall make inspections and reviews of the premises, activities, records and procedures of any person subject to the regulations in this part as the Commission and CSA deem necessary to effect the purposes of the Act, E.O. 12958 and/or NRC rules.

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VIOLATIONS

§95.61 Violations.

(a) The Commission may obtain an injunction or other court order to prevent a violation of the provisions of—

(1) The Atomic Energy Act of 1954, as amended;

(2) Title II of the Energy Reorganization Act of 1974, as amended; or

(3) A regulation or order issued pursuant to those Acts.

(b) The Commission may obtain a court order for the payment of a civil penalty imposed under section 234 of the Atomic Energy Act:

(1) For violations of—

(i) Sections 53, 57, 62, 63, 81, 82, 101, 103, 104, 107, or 109 of the Atomic Energy Act of 1954, as amended;

(ii) Section 206 of the Energy Reorganization Act;

(iii) Any rule, regulation, or order issued pursuant to the sections specified in paragraph (b)(1)(i) of this section;